

# Notice of Allowability

Application No.

10/027,389

Examiner

Carlos Lugo

Applicant(s)

COLE, RONALD E.

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on October 4, 2004.
2. ☒ The allowed claim(s) is/are 22,25,27-32,36,38 and 40-45.
3. ☒ The drawings filed on 04 October 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

### DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on October 4, 2004.

#### ***Allowable Subject Matter***

2. **Claims 22,25,27-32,36,38 and 40-45 are allowed.**

#### **Reasons For Allowance**

3. The following is an examiner's statement of reasons for allowance:

Claims 25,28,31,40 and 41 are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the cam follower includes a cam plate having a plurality of tracks and a plurality of switch actuators are respectively disposed within the plurality of tracks (claims 25 and 41); that the plurality of switches includes an upper set of switch arms and a lower set of switch arms and the reciprocating linear translation of the cam follower causes at least one upper arm of the upper set of switch arms and a respective at least one lower arm of the lower set of switch arms to contact each other (claims 28 and 40); and that the plurality of switches includes an upper set of switch arms and a lower set of switch arms and the reciprocating linear translation of the cam follower causes at least one upper arm of the upper set of switch arms and a respective at least one lower arm of the lower set of switch arms to contact each other (claim 31).

Regarding claims 25 and 41, Gilliom (US 3,859,979) fails to disclose that the cam follower includes a cam plate having a plurality of tracks and a plurality of switch actuators are respectively disposed within the plurality of tracks.

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As to claims 28 and 40, Gilliom discloses that the plurality of switches includes upper and lower arms (76 and 77). However Gilliom fails to disclose that the reciprocating linear translation of the cam follower causes that the upper and lower arms contact each other, Gilliom's arms never get in contact with each other.

As to claim 31, Gilliom discloses that the plurality of switches includes upper and lower arms (76 and 77). However Gilliom fails to disclose that the reciprocating linear translation of the cam follower causes that the upper and lower arms contact each other, Gilliom's arms never get in contact with each other.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.C.

Carlos Lugo  
AU 3677

November 4, 2004.

A handwritten signature in black ink, reading "Daniel P. Stodola". The signature is fluid and cursive, with a large initial "D" and "S".

DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600